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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/107,083	06/29/98	WHITE	C MS1-260US

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EXAMINER

VU, N

ART UNIT	PAPER NUMBER
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2711

DATE MAILED: 02/29/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/107,083

Applicant

White

Examiner

Ngoc Vu

Group Art Unit
2711



☒ Responsive to communication(s) filed on Nov 19, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-36 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-36 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7-13, 20-22, 29, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin et al (US 5,583,560) in view of Bedard (US 5,801,747).

Regarding claim 1, Florin et al discloses a method of displaying accessed television channels comprising the following steps: determining whether a television channel is selected by a user (Florin/col 11, lines 62-65); adding the selected channels to a list (Florin/col 19, lines 17-20); generating a display screen having multiple small display screens, each small display screen corresponding to one of the selected channels (Florin/col 20, lines 55-61). Florin et al fails to show a television channel has been recently selected by a user. However, Bedard discloses a method of monitoring recently viewed channels (Bedard/col 6, lines 23-25). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include a viewer

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profile array wherein the order of entries indicates which channels have been most recently selected in order to view easily.

Regarding claim 2, Florin et al discloses a method comprising of monitoring whether the user selects a television channel by including the CPU monitors programs which are viewed (Florin/col 19, lines 25-29).

Regarding claim 3, Florin et al discloses a method comprising of selecting the television channel for a predetermined length of time by including a time bar showing when the program stars and ends (Florin/see FIG 7, col 13, lines 42-45).

Regarding claim 4, Florin et al discloses a method comprising of selecting the television channel from within one of the small display screens (Florin/see FIG 34, col 21, lines 1-7).

Regarding claim 5, Florin et al discloses a method comprising of entering channel numbers using numeric keypad panel from the remote control device (Florin/col 12, lines 48-50).

Regarding claim 7, Florin et al discloses a one of the small display screens 375 is active and corresponds to a currently selected television channel with the highlighting 380, the active small display screen being differentiated from the remaining small display screens (Florin/see FIG 33-34 and col 21, lines 1-7).

Regarding claims 8 and 21, Florin et al discloses a method comprising of enlarging the active small display screen to full-screen mode and removing the remaining small display screens. For instance, the user presses the select button 155 for displaying the current selected

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program in full screen, and presses the pix button 144 a second time causing the pix display 381 to disappear and the current program appears in full screen (Florin/see FIG 34, col 13-17).

Regarding claim 9, Florin et al discloses a method comprising of applying a "focus" to the active small display screen, for instance, the active small display screen with highlighting 380 (Florin/see FIG 33-34, col 21, lines 3-7).

Regarding claims 10 and 22, Florin et al discloses a method comprising the steps of: generating a highlight box to enclose the active small display screen (Florin/see FIG 34, col 21, lines 3-7); and moving the highlight box from the active small display screen to a second small display screen to render active the second small display screen and to de-select the active small display screen (Florin/col 21, lines 3-13).

Regarding claim 11, Florin et al discloses the step of depressing a button on the remote control to initiate generation of primary display screen. For instance, the depression of pix button 144 on the remote control device 60 results in the display of a pix display 381 (Florin/see FIG 33, col 20, lines 22-24).

Regarding claim 12, Florin et al discloses the step of ordering the selected channels within the list an order in which the selected channels were selected (Florin/col 19, lines 30-34). For instance, the CPU monitors programs that are selected and compiles a prioritized list of those programs of each time slot (Florin/col 19, lines 30-34).

Regarding claim 13, Florin et al discloses the comprising the steps: displaying a live television channel in the active small display screen (Florin/col 15, 34-40 and col 21, lines 1-3);

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changing to a second television channel within the active small display screen, for instance, using the left/right arrow button on the remote control device to change the channels (col 21, lines 5-13); and displaying a live television channel from the second television channel in the active small display screen (col 15, 34-40 and col 21, lines 4-13).

Regarding claim 20, Florin et al discloses a method comprising steps: generating a primary display screen 381 having multiple small display screens, each small screen corresponding to a selected channel; and applying a “focus” to one of the small display screens to designate the active one 380 and containing a currently selected television channel 375 and to differentiate the active small display screen from remaining ones of the small display screens (Florin/see FIG 33-34 and col 20, lines 55-56 and col 21, 1-7). Florin et al does not teach each small display screen corresponding to a “recently selected” channel. However, Bedard discloses a viewer profile array indicating which channels have been most recently viewed (Bedard/col 6, lines 23-25). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include which channels recently selected in order to easily view the last selected channels.

Regarding claim 29, Florin et al discloses a client system capable of receiving multiple television channels comprising a processor and a memory coupled to the processor, the memory having stored the executable instructions (Florin/col 9-10, lines 47-1). The processor performs the steps: determining whether a television channel is selected by a user (Florin/col 11, lines 62-65); adding the selected channels to a list (Florin/col 19, lines 17-20); generating a display

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screen having multiple small display screens, each small display screen corresponding to one of the selected channels (Florin/col 20, lines 55-61). Florin et al fails to show a television channel has been recently selected by a user. However, Bedard discloses a method of monitoring recently viewed channels (Bedard/col 6, lines 23-25). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include a viewer profile array wherein the order of entries indicates which channels have been most recently selected in order to view easily.

Regarding claim 33, Florin et al discloses a "computer-readable medium", CPU, performing the steps: determining whether a television channel is selected by a user (Florin/col 11, lines 62-65); adding the selected channels to a list (Florin/col 19, lines 17-20); generating a display screen having multiple small display screens, each small display screen corresponding to one of the selected channels (Florin/col 20, lines 55-61). Florin et al fails to show a television channel has been recently selected by a user. However, Bedard discloses a method of monitoring recently viewed channels (Bedard/col 6, lines 23-25). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include a viewer profile array wherein the order of entries indicates which channels have been most recently selected in order to view easily.

Regarding claim 34, Florin et al discloses a "computer-readable medium", CPU, performing the steps of: generating a primary display screen 381 having multiple small display screens, each small screen corresponding to a selected channel; and applying a "focus" to one of the small display screens to designate the active one 380 and containing a currently selected

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television channel 375 and to differentiate the active small display screen from remaining ones of the small display screens (Florin/see FIG 33-34 and col 20, lines 55-56 and col 21, 1-7). Florin et al does not teach each small display screen corresponding to a “recently selected” channel. However, Bedard discloses a viewer profile array indicating which channels have been most recently viewed (Bedard/col 6, lines 23-25). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include which channels recently selected in order to easily view the last selected channels.

3. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin et al (US 5,583,560) in view of Broadwin et al (US 5,903,816).

Regarding claim 26, Florin et al discloses a method comprising steps generating a display screen having multiple small display screens (Florin/col 20, lines 55-61). Florin et al fails to teach displaying still images in the small display screens. However, Broadwin et al discloses displaying still images captured from corresponding channels in the display screens (Broadwin/col 17, 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include displaying the still images in order to give user the preview of channels.

Regarding claim 27, Florin et al discloses the step of periodically updating the channels (Florin/col 11, lines 9-15). Florin et al fails to teach the still image of a corresponding channel. However, Broadwin et al discloses the selections displayed with the still image (Broadwin/ col 17, lines 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to

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modify Florin et al to include displaying a still image in order to give user the preview of channel.

Regarding claim 28, Florin et al discloses a method of displaying a live television broadcast channel in the small display screens (Florin/col 15, lines 34-40).

4. Claims 6, 14-19, 23-25, 30-32, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin et al (US 5,583,560) in view of Bedard (US 5,801,747) and in further view of Broadwin et al (US 5,903,816).

Regarding claim 6, Florin et al discloses the step of displaying the primary display screen on a television (Florin/col 11, lines 62-65). Florin et al fails to teach that displaying the primary display screen on a television through a web browser program. However, Broadwin et al discloses displaying the display screen on a television through the interactive application much like a web home page (Broadwin/col 17, lines 29-36). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include a displaying the display screen on a television through a web browser program in order to provide a convenient and easy mechanism which enables a user in an interactive television system to more effectively select and view information.

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Regarding claim 14, Florin et al discloses a method comprising step of displaying a live television channel in the active small display screen as cited in claim 13. Florin et al fails to show the step of displaying a still image of a corresponding channel in the remaining small display screens. However, Broadwin et al discloses the still image in the small display screen (Broadwin/ col 17, lines 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include the still images in the small display screens in order to give user the preview of channels.

Regarding claim 15, Florin et al does not specifically show the still image represents a last image captured on the corresponding channel when the channel was deselected. Official Notice is taken that it is well known to provide the still video image captures the last image of the video when the video program was stopped. Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include the still image captures the last image of the channel when the channel was deselected in order to let the user knows the program would stop at that image of program viewing.

Regarding claim 16, 18 and 24, Florin et al discloses the step of periodically updating the channels (Florin/col 11, lines 9-15). Florin et al fails to teach the still image of a corresponding channel. However, Broadwin et al discloses the selections displayed with the still image (Broadwin/ col 17, lines 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include displaying a still image in order to give user the preview of channel.

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Regarding claim 17, Florin et al fails to teach the step of displaying still images captured from corresponding channels in the small display screen. However, Broadwin et al discloses displaying still images presenting channels (Broadwin/ col 17, lines 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include displaying the still images in order to give user the preview of channels.

Regarding claim 19 and 25, Florin et al discloses the step of updating the list of programs (Florin/col 19, lines 35-40) and using the button on remote control permits the user to view programs (Florin/col 11, lines 52-56). Florin et al fails to teach updating the still image in the small display screens. However, Broadwin et al discloses the still images in the small display screens (the Broadwin/ col 17, lines 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include updating the still images in the small display screen in order to give user the visual the preview of channels.

Regarding claim 23, Florin et al discloses displaying a live television channel in the active small display screen (Florin/col 15, lines 34-40). Florin et al fails to teach displaying still images of corresponding channels in small display screens. However, Broadwin et al discloses displaying still images of corresponding claims in the remaining small display screens (Broadwin/col 17, lines 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include displaying the still images in the display screens in order to give user the preview of channels.

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Regarding claim 30, Florin et al discloses the display screen comprises a screen image displayed (Florin/col 11, lines 62-65). Neither Florin et al nor Bedard teach a system comprises a screen image display including World Wide Web content. However, Broadwin et al discloses a client system wherein the primary display screen comprises a screen image displayed through an interactive display environment including web content (Broadwin/col 4, lines 25-34). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to modify Florin et al and Bedard et al to include a client system comprises the display screen including web content in order to provide a convenient and easy mechanism which enables a user in an interactive television system to more effectively select and view information.

Regarding claim 31, Florin et al and Bedard fail to teach the primary display screen is hypertext mark-up language object. However, Broadwin et al discloses the program channels comprise video content and associated interactive applications and still image link data, and link data is preferably HTML data (Broadwin/col 6, lines 8-17). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to modify Florin et al and Bedard et al to include a client system wherein the display screen is HTML object in order to allow content providers to place hyperlinks within web pages which link related content or data.

Regarding claim 32, neither Florin et al nor Bedard teach an Internet system comprising server, client systems and WAN interconnecting the server system and client systems. However, Broadwin et al discloses an Internet system for providing interactive web-like content in an interactive television system (Broadwin/col 19, lines 61-67). Therefore, it would have been

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obvious to one ordinary skill in the art at the time the invention was made to modify Florin et al and Bedard et al to include a Internet system to utilize hyperlinks to enable users navigating the web page.

Regarding claim 35, Florin et al discloses a “computer-readable medium”, CPU, performing the steps: generating a display screen having multiple small display screens (Florin/col 20, lines 55-61). Florin et al fails to teach displaying still images in the small display screens. However, Broadwin et al discloses displaying still images captured from corresponding channels in the display screens (Broadwin/col 17, 50-54). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include displaying the still images in order to give user the preview of channels.

Regarding claim 36, Florin et al discloses in a set-top box capable of receiving and presenting television channels, a user interface executing on the television comprising a primary display screen 381 having multiple small display screens, each small display screen corresponding to a channel selected by a user (Florin/ see FIG 33-34 and col 20-21, lines 51-17). Florin et al fails to teach the television system presenting web content. However, Broadwin et al discloses the web-like capabilities in an interactive television system (Broadwin/col 13, lines 28-30). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include web content on a television in order to let user navigate the television channels more interactively. In addition, Florin et al teaches that the user can select different channels on the primary display screen by pressing the left or right arrow button, the highlighting 380 is moved

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one small display screen to the left or right (Florin/see illustration in FIG 34 and col 21, lines 1-5). Florin et al does not teach the small display screen on primary display screen corresponding to a channel "recently selected" by a user. However, Bedard discloses a viewer profile array indicating which channels have been most recently viewed (Bedard/col 6, lines 23-25). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin et al to include which channels recently selected in order to easily view the last selected channels.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ohkura et al (US 5,737,029) teaches a method and apparatus of image reception controller and method with ordered display of previously viewed channels.

White (US 6,005,563) teaches a method and apparatus of user interface for controlling audio functions in a web browser.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc Vu whose telephone number is (703) 306-5976. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-6306 or (703) 308-6296.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

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Jan. 25, 2000



Nathan Flynn
Primary Examiner